

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

THOMAS R. MILLER :  
Plaintiff :  
v. : Civil Action No. 06-349 GMS  
FIRST CORRECTIONAL MEDICAL, :  
et al. :  
Defendants :

**O R D E R**

At Wilmington this 5<sup>th</sup> day of September, 2008, having reviewed the pending motion to withdraw as counsel for defendant, First Correctional Medical, LLC (“FCM”), and there being no opposition filed thereto:

IT IS ORDERED that the motion (D.I. 47) is GRANTED;

IT IS FURTHER ORDERED that, on or before **October 6, 2008**, defendant FCM will retain new counsel, as a corporation cannot represent itself. See Simbraw, Inc. v. United States, 367 F.2d 373. Failure of FCM to timely comply with this order will be considered a failure to defend and the court will conduct a hearing at sometime in the future to determine whether judgment (and in what amount) will be entered against FCM.

/s/ Gregory M. Sleet  
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CHIEF, UNITED STATES DISTRICT JUDGE